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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Donald J. KYLE et al.

Confirmation No.: 8122

Application No.: 10/625,708

Group Art Unit: 1624

Filed: July 24, 2003

Examiner: Kahsay Habte, Ph.D.

Title: THERAPEUTIC AGENTS USEFUL  
FOR TREATING PAIN

Attorney Docket No.: 6750-174-999  
(CAM No.: 305158-999172)

**CONTINUATION OF SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §§ 1.56 and 1.97 to inform the Patent and Trademark Office (“Office”) of all references coming to the attention of each individual associated with the filing and prosecution of the above-identified application that are or may be related to patentability of the claimed invention, Attorneys for Applicants hereby invite the Examiner’s attention to reference **B16**, which is listed on the accompanying Form PTO-1449 entitled “Information Disclosure Statement By Applicant.” This Continuation Of Supplemental Information Disclosure Statement supplements the Supplemental Information Disclosure Statement filed on February 16, 2006 and the Information Disclosure Statement filed on October 5, 2005. Reference B16 was inadvertently omitted from the Supplemental Information Disclosure Statement filed on February 16, 2006.

A legible copy of reference **B16** is submitted herewith.

No admission is made that the information cited in this Continuation Of Supplemental Information Disclosure Statement is, or is considered to be, material to patentability and no representation is made that a search has been made. 37 C.F.R. §§ 1.97(g) and (h).

Applicants request that the Examiner review the reference identified on the attached Form PTO-1449, and that it be made of record in the file history of the above-identified application.

This Continuation Of Supplemental Information Disclosure Statement is filed under 37 C.F.R. § 1.97(c) after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of any of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution in the application. However, the Applicants believe that no fee is due as the \$180.00 fee set forth in 37 C.F.R. § 1.17(p) in accordance with 37 C.F.R. § 1.97(c) was paid with the Supplemental Information Disclosure Statement filed on February 16, 2006. Please charge any required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

*Samuel B. Abrams by  
George A. Sard 42,140*

Date: February 17, 2006

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Samuel B. Abrams (Reg. No. 30,605)

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Enclosures



Substitute for Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT  
(Use several sheets if necessary)

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|--|-------------------------------|
| ATTY DOCKET NO.<br>6750-174-999<br>(CAM No. 305158-999172) | APPLICATION NO.<br>10/625,708 |
| APPLICANT:   |                               |
| Donald J. KYLE et al.                                      |                               |

FILING DATE: July 24, 2003 ART UNIT: CONF. NO.: 1624 8122

## U.S. PATENT DOCUMENTS

| EXAMINER'S INITIALS* | Cite No. | DOCUMENT NUMBER | DATE<br>MM/DD/YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|----------------------|----------|-----------------|--------------------|---|---|
|                      | A28      |                 |                    |   |   |

## FOREIGN PATENT DOCUMENTS

| EXAMINER'S INITIALS* | Cite No. | Country Code, Number, Kind of Code (if known) | DATE<br>MM/DD/YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | TRANSLATION |
|----------------------|----------|---|--------------------|---|---|-------------|
|                      | B16      | WO 00/42852                                   | 07/27/2000         | Smithkline Beecham Corp.                        |   | YES NO      |
|                      | B17      |   |                    |   |   |             |

## NON PATENT LITERATURE DOCUMENTS

|                      |          |   |
|----------------------|----------|---|
| EXAMINER'S INITIALS* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), date, page(s)s, volume, publisher, city and/or country where published, etc. |
|                      | C41      |   |

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|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |